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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,797	12/12/2003	Daniel Sheinbein	2003P09833 US01	3864

7590 09/20/2005

Elsa Keller
Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

VU, MICHAEL T

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/735,797

Applicant(s)

SHEINBEIN ET AL.

Examiner

Michael Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/12/2004</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-9, 11-20, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buhl (US 5,153,902) in view of Baiyor (6,366,660).

Regarding **claims 1 and 13**, Buhl teaches a method of processing calls comprising the steps of: receiving a call that specifies a destination address' (Fig. #3, Abstract/ receives incoming calls, and C4, L5-10), checking whether at least one of simultaneous and sequential routing is active, and if active, accessing a list listing a plurality of destinations' (C3, L53-57, and C4, L5-19), **but is silent on** and originating call legs for destinations in the list according to the results of the checking step.

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However, Baiyor teaches the method and systems which provide variable alerting patterns for multiple of the in coming call leg telecommunication sessions (Abstract, C2, L5-16, C2, L58-67, C5, L23-47).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Buhl, such that originating call legs for destinations in the list according to the results of the checking step, to provide a single incoming call into multiple outgoing calls/legs in the same period of time.

Regarding **claims 2 and 14**, Buhl teaches the method of claim 1, **but is silent on** wherein the originating step simultaneously originates a plurality of call legs when the checking step determines that simultaneous routing is active. However, Baiyor teaches the dynamic routing process, call can be routed through a PSTN/ISDN network systems which originates a plurality of call legs when that simultaneously routing is active (C2, L5-16, C6, L14-40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Buhl, such that wherein the originating step simultaneously originates a plurality of call legs when the checking step determines that simultaneous routing is active, to provide a multiple alerting such as simultaneous alerting, sequential alerting, cascade alerting, or pyramid alerting.

Regarding **claims 3**, Buhl teaches the method of claim 1, **but is silent on**, wherein the originating step sequentially originates a plurality of call legs when the checking step determines that sequential routing is active. However, Baiyor teaches the dynamic routing process, call can be routed through a PSTN/ISDN network systems which

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originates a plurality of call legs when that simultaneously routing is active (C2, L5-16, C6, L14-40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Buhl, such that originating step sequentially originates a plurality of call legs when the checking step determines that sequential routing is active, to provide a multiple alerting such as simultaneous alerting, sequential alerting, cascade alerting, or pyramid alerting.

Regarding **claims 4 and 15**, Buhl teaches the method of claim 3, **but is silent on**, the method as recited in claim 3, when the step of checking routing parameters includes at least one of time of day, day of week, and calling party identity. However, Baiyor teaches the concurrently of processing and routing which checked an outgoing call leg to be alerted until call legs has been answered where is a router has a routing table that updated at least one of time of day, day of week, and he further teaches the different processing times, namely, and processing times result (C6, 15-25, and C3, L42-58).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baiyor, such that when the step of checking routing parameters includes at least one of time of day, day of week, and calling party identity, to provide a capability to check the outgoing calls to be routed through the multiple nodes or different locations.

Regarding **claims 5 and 16**, Buhl teaches the method as recited in claim 1, **but is silent on**, further comprising starting a timer for timing duration of the originated call

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legs. However, Baiyor teaches a ring start adjustment time (RSAT) parameter (Fig. #2, #9, Abstract, C1, L42-46, C8, 38-65).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Buhl, such that further comprising starting a timer for timing duration of the originated call legs, to provide an increment or period of time relative to the start of outgoing call leg routing.

Regarding **claims 6 and 17**, Buhl teaches the method as recited in claim 1, **but is silent on**, further comprising checking a timer for expiration, and if expired, disconnecting any originated call legs. However, Baiyor teaches when an individual outgoing call leg has an option for unanswered / answer time period has elapsed or expired (Fig. #9, C3, L8-14, C3, L42-47).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Buhl, such that further comprising checking a timer for expiration, and if expired, disconnecting any originated call legs, to provide an alerting/monitoring of each outgoing call leg until answered/expired.

Regarding **claims 7 and 18**, Buhl teaches the method as recited in claim 6, **but is silent on**, comprising routing the received call to the destination address using default processing. However, Baiyor teaches the initial programming establishing the subscriber's alerting group (C17, L48-58).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Buhl, such that comprising routing the received

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call to the destination address using default processing, to provide appropriate control over the start of alerting such as concurrent, pyramid, sequential or cascade alerting.

Regarding **claims 8 and 19**, Buhl teaches the method as recited in claim 1, **but is silent on**, further comprising detecting an answer by one of originated legs and completing a call connection. However, Baiyor teaches the flexible alerting group or multi-leg communications group that reads on (C14, L34-66).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Buhl, such that further comprising detecting an answer by one of originated legs and completing a call connection, to provide appropriate control over the start of alerting such as concurrent, pyramid, sequential or cascade alerting.

Regarding **claims 9 and 20**, Buhl teaches the method as recited in claim 1, **but is silent on**, further comprising updating call statuses when one of the call legs is answered. However, Baiyor teaches the concurrent with such differential processing and routing which monitoring each outgoing call leg to continue to be alert until has been answered (C3, L42-58 reads on).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Buhl, such that further comprising updating call statuses when one of the call legs is answered, to provide to provide appropriate control over the start of alerting such as concurrent, pyramid, sequential or cascade alerting.

Regarding **claims 12 and 24**, Buhl teaches the method of claim 1, **but is silent**

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on, wherein the originating step originates a combination of simultaneously originated call legs and sequentially originated call legs as determined by the checking step. However, Baiyor teaches both simultaneously originated call legs and sequentially originated call legs (C2, L5-15, C3, L14-20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Buhl, such that wherein the originating step originates a combination of simultaneously originated call legs and sequentially originated call legs as determined by the checking step, to provide to provide appropriate control over the start of alerting such as concurrent, pyramid, sequential or cascade alerting.

4. Claims 10, 11, 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buhl/Baiyor in view of Fernald (2004/0003070).

Regarding **claims 10, 21 and 23**, Buhl/Baiyor teach the method as recited by claim 1, **But is silent on**, wherein in any step, the any step is performed by at least one of a time division multiplex (TDM) switch, a soft-switch, and a gateway. However, Fernald teaches the concept of a system/method of routing the calls and monitoring telecommunications services from end-to-end through a distributed network environment included TDM switch, soft-switch/gateway (Abstract, Fig. #9-#12, [0050-0051]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Buhl/Baiyor, such that wherein in any step, the

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any step is performed by at least one of a time division multiplex (TDM) switch, a soft-switch, and a gateway, to provide a method and system for monitoring and analyzing quality of service from end-to-end of receiving calls.

Regarding **claims 11 and 22**, Buhl/Baiyor teach the method recited in claim 1, **but is Silent on**, wherein the list is administrable by a graphical user interface.

However, Fernald teaches the concept of a system/method of routing the calls and monitoring telecommunications services from end-to-end through a distributed network environment [0037].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Buhl/Baiyor, such that wherein the list is administrable by a graphical user interface, to provide a method and system for monitoring and analyzing quality of service from end-to-end of receiving calls.

5. Claim 25 is rejected under 35 U.S.C. 102(b) as being unpatentable over Baiyor (6,366,660).

Regarding **claim 25**. Baiyor teaches a computer program product comprising a computer usable medium having readable program code embodied in the medium (C19, L28-50), the computer program product includes: a first software component to receive a call that specifies a destination address (C20, L4-26); a second software component to check whether at least one of simultaneous and sequential routing is active (C20, L4-26), and if active, accessing a list listing a plurality of destinations (C20,

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L4-26); and a third software component to originate call legs for destinations in the list according to the results of the checking step (C20, L4-26).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Huhl (US 5,153,902)
2. Baiyor (US 6,366,660)
3. Fernald (US 2004/0003070)
4. Dammrose (US 2003/0161446)
5. Eber (US 2003/0059015)
6. Kallio (US 2004/0190498)
7. Dougherty (6,141,556)
8. Boyle (US 6,421,324)
9. Mikkola (US 2004/0024902)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Vu whose telephone number is (571)272-8131. The examiner can normally be reached on 8:00am - 6:00pm.

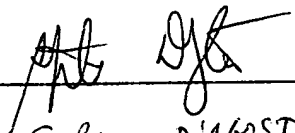
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael T. Vu



Stephen D'AGOSTA
9-9-05